

By: Villarreal

H.B. No. 2223

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of crisis pregnancy centers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle H, Title 2, Health and Safety Code, is amended by adding Chapter 172 to read as follows:

CHAPTER 172. REGULATION OF CRISIS PREGNANCY CENTERS

Sec. 172.001. DEFINITIONS. In this chapter:

(1) "Crisis pregnancy center" means an organization, including a pregnancy counseling organization or alternatives to abortion organization, that for a fee or as a free service provides pregnancy counseling or information but does not perform an abortion or refer a female to an abortion provider. The term does not include a licensed health care provider, a hospital, or a family planning clinic that provides abortions or contraception or provides abortion or contraception referrals.

(2) "Commission" means the Health and Human Services Commission.

(3) "Medically accurate information" means information supported by the weight of peer-reviewed research conducted in compliance with accepted scientific methods and recognized as accurate by leading professional organizations and agencies with relevant expertise in the field.

Sec. 172.002. RULES. The commission may adopt rules necessary to implement this chapter.

1 Sec. 172.003. FACTUALLY OR MEDICALLY ACCURATE INFORMATION
2 REQUIRED. An agent of a crisis pregnancy center shall provide a
3 woman who is seeking counseling or information about pregnancy or
4 abortion only with information the agent knows to be factually or
5 medically accurate information.

6 Sec. 172.004. NOTICE. (a) A crisis pregnancy center shall
7 prominently display on letter-size paper that is clearly visible
8 from the area at which the center conducts intakes the following
9 notice:

10 [Name of center] is not a medical facility.

11 [Name of center] does not perform abortions or refer women
12 for abortions.

13 [Name of center] does not provide information on pregnancy
14 prevention or refer women for pregnancy prevention.

15 [Name of center] is not a licensed medical provider qualified
16 to diagnose or accurately date pregnancy.

17 [Name of center] is not licensed by the State of Texas.

18 (b) A crisis pregnancy center shall verbally provide the
19 information in Subsection (a) to each person who requests services
20 from the center before the center provides any services to the
21 person.

22 (c) A crisis pregnancy center shall include a printed copy
23 of the information in Subsection (a) with any material distributed
24 by the center.

25 Sec. 172.005. DISCIPLINARY ACTION. (a) A crisis pregnancy
26 center that violates this chapter is ineligible to receive state
27 funding.

1 (b) If the commission determines a crisis pregnancy center
2 violated this chapter, the commission shall withhold state money
3 otherwise to be provided to the center. The center is liable to the
4 state for any money the center has already received from the state
5 during the state fiscal year in which the determination is made.
6 The center is not eligible for state funding before the first
7 anniversary of the date of the commission determination. The
8 attorney general in the name of the state may bring an action to
9 recover amounts owed to the state under this section.

10 (c) A crisis pregnancy center may appeal a commission
11 determination under this section to the State Office of
12 Administrative Hearings. An appeal under this subsection is a
13 contested case under Chapter 2001, Government Code.

14 SECTION 2. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2007.